



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 4723**
Yuusaku OHTA et al. : Attorney Docket No. 2003_1371A
Serial No. 10/670,053 : Group Art Unit 2661
Filed September 25, 2003 :
CONTENT DISTRIBUTION SYSTEM :

PETITION TO MAKE SPECIAL
Request for Accelerated Examination

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Patent and Trademark Office to make the present application special on the basis of a preexamination search.

This Petition to Make Special is accompanied by the appropriate fee set forth in 37 C.F.R. 1.17(h).

Applicants hereby offer to make an oral election without traverse should the PTO hold that the claims of the application are not directed to a single invention.

A copy of an International Search Report for related International Application No. PCT/JP2003/12196 is enclosed herewith. Also a European Search Report for related European application EP03798478 is enclosed herewith. The claims in the related International Application and European application are of similar scope to the claims in the present application. Accordingly, the International and European Search Reports satisfy the requirement for a pre-examination search.

Of the references cited in the European and International Search Reports, the following references are the references deemed most closely related to the subject matter encompassed by the claims:



JP 10-271154;

WO 02/067499; and

WO 01/57696.

These reference and the European and International Search Reports in which the references were cited were made of-record in the present application via the Information Disclosure Statements filed March 22, 2004 and December 12, 2005.

**DETAILED DISCUSSION OF THE SUBMITTED REFERENCE AND
DISCUSSIONS POINTING OUT HOW THE CLAIMED SUBJECT MATTER
DISTINGUISHES OVER THE SUBMITTED REFERENCE**

In view of the following remarks, it is requested that this Petition to Make Special be granted and that the present application be examined under the accelerated examination procedure.

Please note that a Preliminary Amendment is filed concurrently herewith amending the claims of the application.

Each of independent claims 1 and 14-17 includes recitations directed to acquiring time-to-live of an IP packet, judging whether the acquired time-to-live is less than or equal to a predetermined value, and conducting content transmission/reception only when it is judged that the acquired time-to-live is less than or equal to the predetermined value.

None of the prior art of record discloses or suggests these recitations in claims 1 and 14-17.

Reference JP 10-271154 discloses a connection device, such as a router or gateway, that prevents the inflow and outflow of packets pertaining to unauthorized access, in order to prevent communication with other groups. Specifically, a time-to-live initial value, e.g., 5, is shared within a group as "secret information" in order to prevent unauthorized access. Next, the communication terminals set the time-to-live value, which is the shared secret information, in the packets and perform communication. The connection device checks a validity of the time-to-live value, e.g., whether it is three or more, and only transmits packets that satisfy a predetermined condition. The time-to-live value in the packets is decremented by 1 each time they pass through a connection device.

According to this structure, checking the time-to-live value enables the prevention of unauthorized access from a terminal outside the group, even if a device outside the group rewrites its IP address to mimic a terminal in the group (see paragraph 0033 to 0041).

Thus, in the system disclosed in JP 10-271154, the device that monitors unauthorized packets is a connection device such as a gateway or router. In contrast, in the present inventions as recited in claims 1 and 14-17, the communication device checks the validity of packets.

Also, in the system disclosed in JP 10-271154, a connection device such as a router does nothing more than filter IP packets to block access from outside the group. In the present inventions recited in claims 1 and 14-17, the time-to-live value is first checked in the IP packets before transmitting/receiving content, and the transmission/reception of content is performed only if it is judged that the time-to-live value is less than or equal to a predetermined value. Intermediate devices, such as gateways or routers, do not contribute to the judgement regarding the time-to-live value in the present invention.

WO 02/067499 discloses acquiring a time-to-live value from a client, judging a network distance based on the acquired time-to-live value, and switching between unicast and multicast communication based on whether or not the time-to-live values indicate that two or more clients at a same distance on the network are requesting a specified piece of data, and in such case, multicast communication is performed. However, this reference does not in any way disclose or suggest judging whether a time-to-live in a packet is less than or equal to a predetermined value, or transmitting/receiving content only if the judgment is that the time-to-live value is less than or equal to the predetermined value as recited in claims 1 and 14-17 of the present application.

WO 01/57696 discloses estimating a distance on the network using a time-to-live value. However, this reference does not in any way disclose or suggest judging whether a time-to-live in a packet is less than or equal to a predetermined value, or transmitting/receiving content only if the judgment is that the time-to-live value is less than or equal to the predetermined value as recited in claims 1 and 14-17 of the present application.

Because of the distinctions discussed above, it is submitted that claims 1, 5, 6, and 14-20 are not anticipated or rendered obvious by any of the prior art of record.

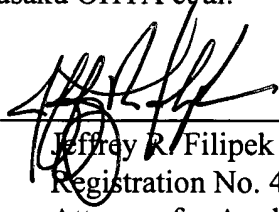
In view of the above remarks, it is requested that this Petition to Make Special be granted and that the present application be examined under the accelerated examination procedure.

The Special Program Examiner is invited to contact the undersigned by telephone if it is felt that there are any issues remaining which must be resolved before the granting of the Petition to Make Special.

Respectfully submitted,

Yuusaku OHTA et al.

By: _____


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August 23, 2006



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PATENT OFFICE FEE TRANSMITTAL FORM

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THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:


Petition to Make Special \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Yuusaku OHTA et al.

By 

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